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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,291	04/07/2006	Timothy Tak Chun Yip	035394-0292	2464
22428	7590	07/21/2008	EXAMINER	
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				LIN, JERRY
ART UNIT		PAPER NUMBER		
1631				
			MAIL DATE	DELIVERY MODE
			07/21/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10539291	4/7/2006	YIP ET AL.	035394-0292

EXAMINER

JERRY LIN

ART UNIT	PAPER
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1631                  20080717

DATE MAILED:

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Commissioner for Patents

Notice of Non-Responsive Amendment

The species election filed on April 30, 2008 is non-responsive. In the response filed April 30, 2008, Applicants had elected Group 10, claims 84-87. Applicants were also required to elect one combination of biomarkers. Applicants elected WM-477, WM-59 and WM-19. However, none of the elected proteins are in the elected claims. Thus, the species election is not drawn to the elected Group 10. Thus, the response filed on April 30, 2008 is non-responsive.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JERRY LIN whose telephone number is (571)272-2561. The examiner can normally be reached on 7:00-5:30pm, M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marjorie A. Moran can be reached on (571) 272-0720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. L./  
Examiner, Art Unit 1631

/John S. Brusca/  
Primary Examiner, Art Unit 1631

